

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BILLIE JOE CHAPMAN, )  
                          )  
Plaintiff,            )  
                          )  
v.                     )  
                          )  
ELLEN POLAND, et al., )  
                          )  
Defendants.           )

4:13CV3205

**MEMORANDUM  
AND ORDER**

This matter is before the court on its own motion. On June 9, 2014, the court granted Plaintiff's Motion for Leave to Proceed in Forma Pauperis and assessed an initial partial filing fee in the amount of \$6.70. (Filing No. [14](#).) The court warned Plaintiff that his case would be dismissed if he failed to pay the initial partial filing fee by July 10, 2014. The July 10, 2014 deadline has passed and Plaintiff has not paid the initial partial filing fee or requested an extension of time in which to do so. Accordingly, Plaintiff's case is dismissed for failing to comply with this court's orders. *See Fed. R. Civ. Pro. 41(b); see also Conley v. Holden, 109 Fed. Appx. 846 (8th Cir. 2004)* (affirming district court's dismissal of inmate's case for failing to pay the assessed initial partial filing fee).

IT IS THEREFORE ORDERED that:

1. Plaintiff's Complaint (Filing No. [3](#)) is dismissed without prejudice because Plaintiff failed to comply with this court's orders.
2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 18th day of July, 2014.

BY THE COURT:

*s/ John M. Gerrard*  
United States District Judge

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